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May 23, 2007

REPORT OF THE COMMITTEE
ON LAND USE

The Committee on Land Use held a meeting on May 23, 2007, with Vice Chairman Maryann Heuston presiding and Committee Member Alderman Thomas Taylor also present and voting. Also present were Aldermen Robert Trane, Bruce Desmond, Walter Pero, Dennis Sullivan, William White and Rebekah Gewirtz, Solicitor John Gannon, Housing Director Phil Ercolini, Planning Director Madeleine Masters, SPCD Director Monica Lamboy, Steve Winslow from SPCD, Developer Stephen Smith and several interested members of the public. Alderman O'Donovan was recused.

Mr. Gannon reviewed the responses to questions submitted at the last committee meeting, as well as the revised covenant, and noted the changes incorporated as a result of the last committee meeting.

Alderman Taylor asked those present if there were any concerns. Mr. Ralph Russo stated that he is in agreement with the provisions, as written in the covenant, and also said that the city has very limited powers over the development. Mr. Russo said that he would be signing another covenant with the developer, on behalf of his neighborhood, and he asked the committee to be sure that the covenant before them is properly written.

Mr. Joseph Lynch stated that he would reserve his comments until the matter comes before the full Board of Aldermen. Chairman Heuston stated that when the matter appears before the Board, it would not be open for public comment. Mr. Lynch said that the neighborhoods involved agree that the development will move forward in one fashion or another, but that additional concerns would be presented when the matter comes before the Planning Board.

The committee reviewed the latest draft of the covenant, (dated 5/16/07), and made the following requests and/or recommendations:

Chairman Heuston requested that the first WHEREAS section reflect that the developer owns both the 55-61 Clyde Street and 56 Clyde Street parcels.

Alderman Trane requested that a definition of story, as used in the zoning code, be included in the covenant.

Section A - Existing Conditions:

Alderman Desmond requested that the developer use 100% union labor and give preference to Somerville residents. Mr. Smith said that he could not agree to using 100% union labor, because some of the specialty work is performed by non-union labor. Chairman Heuston asked Mr. Gannon to determine if anything prevents the city from making this request.

Section B (1) Uses:

Alderman Desmond requested that the words "with no more than 227 bedrooms" be added at the end of this section. Mr. Smith said that he could not agree to that condition as it might not be financially feasible.

Section B (2) (d)

Alderman Desmond requested that the words "the Red Line station in Davis Square or" be inserted in the 1st line, after the words "...and commuters accessing"

Section C (2) Height

Chairman Heuston requested that Ms. Masters prepare a rendering of what the project might look like based on the wording in this section.

Section D (2)

Alderman Desmond requested that wording, such as ", and that the developer fund all corrective measures, here and on the Lowell Street side." be added at the end of the 6th sentence.

Section D (4)

Chairman Heuston asked Mr. Gannon to provide an opinion on whether the city could restrict the number of visitor parking placards distributed and their use.

Section E

Alderman Desmond requested that the expanded closing time of 6:30 PM be changed to 10:00 PM

Section F (2) Project Amenities:

Alderman Trane requested a financial breakdown of the project amenities. Mr. Smith stated that the listed amenities are a result of the requests from the neighborhood meetings.

Chairman Heuston requested that the typo in the 2nd bulleted item be corrected by substituting the words "buildings along the Community Path" with the words "the active rail line".

Section F (3) (c)

Alderman Desmond requested that the word "approximately" be struck and replaced with the words "no more than" and that the words "with no more than 110 bedrooms" be inserted after the word "units", in the 1st sentence.

Chairman Heuston asked Mr. Gannon to provide the statutory time limits, dates and the actions needed to be taken by the BOA regarding this matter.

Alderman Taylor reminded those present that the Board of Aldermen only has authority over zoning, not the covenants. The committee can only make recommendations to the administration as to the content of the covenant. Aldermen Taylor and Gewirtz asked that this issue be voted on at the next committee meeting and Chairman Heuston indicated that this is her intention.

No Papers were acted on.

Alderman Maryann Heuston, Vice Chairman
Committee on Land Use

